

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED

APR - 7 2015

TRANSMITTAL LETTER TO:

US District Courthouse - ND/CA
Phillip Burton Federal Bldg
450 Golden Gate Ave.
San Francisco, CA 94102
Attn: Criminal Division

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DATE: April 3, 2015
U.S.A. vs Carl Mark Force IV
CASE NO.: 15-656TJS
YOUR DOCKET NO 3-15-70370MEJ

Enclosed herein please find certified copies and **originals** of the following:

- ☐ Warrant of Arrest (Copy)
- ☒ Indictment (Copy)
- ☐ Financial Affidavit
- ☐ Contribution Order
- ☐ Order Appointing the Federal Public Defender
- ☐ CJA 20 Voucher - Appointment of counsel under CJA
- ☐ Appearance Bond
- ☐ Order Setting Conditions of Release
- ☐ Appearance Line of Counsel
- ☐ Waiver of Preliminary Hearing
- ☒ Waiver of Rule 5(c)(3) Hearings
- ☐ Temporary Detention Order
- ☒ Detention Order ~~by Agreement~~
- ☒ Commitment to Another District
- ☒ Docket Sheet from this District
- ☐ Order re: Medical Evaluation and Appropriate Treatment of Detainee
- ☒ Other: *Magistrate Judge Criminal Minutes*

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APR 03 2015

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY



Please acknowledge receipt of the above documents on the enclosed copy of this transmittal letter and return same to this office. Thank you.

Return to:
Clerk, U.S. District Court
101 West Lombard Street, Room 4415
Baltimore, MD 21201-2675

By:



Deputy Clerk

**U.S. District Court
District of Maryland (Baltimore)
CRIMINAL DOCKET FOR CASE #: 1:15-mj-00656-TJS-1
Internal Use Only**

Case title: USA v. Force
Other court case number: 3-15-70370 MEJ Northern
District of California

Date Filed: 03/30/2015

Assigned to: Magistrate Judge Timothy
J. Sullivan

Defendant (1)

Carl Mark Force

represented by **Ivan J Bates**
Bates and Garcia
The Equitable Building
10 N Calvert St Ste 214
Baltimore, MD 21202
14108144600
Fax: 14108144604
Email: ivan@batesgarcia.com
ATTORNEY TO BE NOTICED
Bar Status: Active

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff









USA


represented by **Barbara S Sale**

Office of the United States Attorney
 36 S Charles St Fourth Fl
 Baltimore, MD 21201
 14102094800
 Fax: 14109623124
 Email: barbara.sale@usdoj.gov
ATTORNEY TO BE NOTICED
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
03/30/2015	<u>1</u>	Rule 5(c)(3) Documents Received from Northern District of California as to Carl Mark Force (Attachments: # <u>1</u> Affidavit)(jks, Deputy Clerk) (Entered: 03/31/2015)
03/30/2015	 <u>2</u>	Initial Appearance in Rule 5(c)(3) Proceedings as to Carl Mark Force held on 3/30/2015 before Magistrate Judge Timothy J. Sullivan. (FTR Klein -7B.) (jks, Deputy Clerk) (Entered: 03/31/2015)
03/30/2015	  <u>3</u>	*SEALED* (Court only) SEALED ORDER Sealing Portion of Court Proceeding (jks, Deputy Clerk) (Entered: 03/31/2015)
03/30/2015	<u>4</u>	ORDER OF TEMPORARY DETENTION as to Carl Mark Force Detention Hearing set for 4/2/2015 09:30 AM in Courtroom 7B, 101 West Lombard Street, Baltimore, Maryland 21201, before Magistrate Judge Timothy J. Sullivan. Signed by Magistrate Judge Timothy J. Sullivan on 3/30/2015. (jks, Deputy Clerk) (Entered: 03/31/2015)
03/30/2015	  <u>5</u>	(Court only) MEDICAL NOTICE as to Carl Mark Force. (jks, Deputy Clerk) (Entered: 03/31/2015)
04/01/2015	<u>6</u>	NOTICE OF ATTORNEY APPEARANCE: Ivan J Bates as Retained Counsel appearing for Carl Mark Force (Bates, Ivan) (Entered: 04/01/2015)
04/01/2015	 <u>7</u>	MOTION for Release from Custody <i>Pretrial Detention</i> by Carl Mark Force. Responses due by 4/20/2015 (Bates, Ivan) (Entered: 04/01/2015)
04/01/2015	<u>8</u>	MOTION to Seal by USA as to Carl Mark Force. Responses due by 4/20/2015 (Sale, Barbara) (Entered: 04/01/2015)
04/01/2015	 <u>9</u>	PROPOSED SEALED DOCUMENT (Attachments: # <u>1</u> Exhibit Email about flight)(Sale, Barbara) (Entered: 04/01/2015)
04/02/2015	 <u>10</u>	ORDER granting <u>8</u> Motion to Seal as to Carl Mark Force (1). Signed by Magistrate Judge Timothy J. Sullivan on 4/1/2015. (stds, Deputy Clerk) (Entered: 04/02/2015)
04/02/2015	<u>11</u>	REDACTED DOCUMENT by USA as to Carl Mark Force (Sale, Barbara) (Entered: 04/02/2015)

04/02/2015	 <u>12</u>	Detention Hearing as to Carl Mark Force held on 4/2/2015 before Magistrate Judge Timothy J. Sullivan. (FTR Klein -7B.) (jks, Deputy Clerk) (Entered: 04/03/2015)
04/02/2015	<u>13</u>	WAIVER of Rule 5(c)(3) Hearing by Carl Mark Force (jks, Deputy Clerk) (Entered: 04/03/2015)
04/02/2015	<u>14</u>	ORDER OF DETENTION as to Carl Mark Force. Signed by Magistrate Judge Timothy J. Sullivan on 4/2/2015. (jks, Deputy Clerk) (Entered: 04/03/2015)
04/02/2015	<u>15</u>	COMMITMENT TO ANOTHER DISTRICT as to Carl Mark Force. Defendant committed to the Northern District of California.. Signed by Magistrate Judge Timothy J. Sullivan on 4/2/2015. (jks, Deputy Clerk) (Entered: 04/03/2015)

MAGISTRATE JUDGE CRIMINAL MINUTES

DATE: March 30, 2015 **JUDGE:** Timothy J. Sullivan **COURTROOM:** 7B
TIME: 2:58-3:17 **INTERPRETER:**
AUSA: Richard B. Evans- **DFDT ATTORNEY:** Ivan Bates- Retained
Criminal Public Integrity
Division

UNITED STATES OF AMERICA v. *CARL MARK FORCE*

CASE NO. 15-0656TJS **NO. OF COUNTS:**

DFDT'S AGE: **YEAR OF BIRTH:**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Initial Appearance | <input type="checkbox"/> Defendant to Retain Counsel |
| <input type="checkbox"/> Arraignment | <input type="checkbox"/> Violation Notice |
| <input checked="" type="checkbox"/> Rule 5(c)(3) Hearing- ND/CA | <input type="checkbox"/> Indictment |
| <input type="checkbox"/> Sentencing | <input type="checkbox"/> Superseding Indictment |
| <input type="checkbox"/> Bail Review/Revocation Hearing | <input type="checkbox"/> Information |
| <input type="checkbox"/> Violation of Probation | <input checked="" type="checkbox"/> Complaint |
| <input type="checkbox"/> Violation of Supervised Release | <input type="checkbox"/> Preliminary Hearing: _____ |
| <input type="checkbox"/> Detention Hearing | <input type="checkbox"/> Preliminary Hearing WAIVED |

Defendant arraigned and plead "NOT GUILTY" as to Count(s) _____

- ☒ Defendant advised of rights to silence and counsel
- ☒ Defendant temporarily **detained pending detention hearing** on 4 / 2 / 2015 @9:30AM
- ☐ Defendant detained by agreement
- ☐ Defendant ordered detained after detention hearing
- ☐ FPD / CJA appointed as counsel
- ☐ Waiver of Rule 5(c)(3) Hearings
- ☐ Commitment To Another District
- ☐ Order Setting Conditions of Release w/conditions
- ☒ Medical Notice for Treatment of Detainee entered
- ☐ Counsel advised to call or go to chambers for dates / given dates in court

Remarks Rule 5 waiver will need to be completed at Detention Hrg- scheduled for Thursday 4/2/2015.

_____ Days for Motions. Motions to be filed by _____

- ☐ Trial-Bench/Jury _____ day(s) / week(s). Trial week of _____
- ☒ Pre-trial Officer Helen Donovan _____
- ☒ Temporary Order of Detention to U.S. Marshal

☒ Minute entries docketed.

Deputy Clerk: JK

MAGISTRATE JUDGE CRIMINAL MINUTES

DATE: April 2, 2015 **JUDGE:** Timothy J. Sullivan **COURTROOM:** 7B
TIME: 9:33-10:12 **INTERPRETER:**
AUSA: Richard B. Evans **DFDT ATTORNEY:** Ivan Bates- Retained
/Charles Walsh
(Criminal Integrity
Division)

UNITED STATES OF AMERICA v. *CARL MARK FORCE*

CASE NO. 15-0656TJS **NO. OF COUNTS:**

DFDT'S AGE:

YEAR OF BIRTH:

- | | |
|--|--|
| <input type="checkbox"/> Initial Appearance | <input type="checkbox"/> Defendant to Retain Counsel |
| <input type="checkbox"/> Arraignment | <input type="checkbox"/> Violation Notice |
| <input checked="" type="checkbox"/> Rule 5(c)(3) Hearing- ND/CA | <input type="checkbox"/> Indictment |
| <input type="checkbox"/> Sentencing | <input type="checkbox"/> Superseding Indictment |
| <input type="checkbox"/> Bail Review/Revocation Hearing | <input type="checkbox"/> Information |
| <input type="checkbox"/> Violation of Probation | <input checked="" type="checkbox"/> Complaint |
| <input type="checkbox"/> Violation of Supervised Release | <input type="checkbox"/> Preliminary Hearing: _____ |
| <input checked="" type="checkbox"/> Detention Hearing | <input type="checkbox"/> Preliminary Hearing WAIVED |

Defendant arraigned and plead "NOT GUILTY" as to Count(s) Counts.

- ☐ Defendant advised of rights to silence and counsel
- ☐ Defendant temporarily detained pending detention hearing on Date. @ Time.
- ☐ Defendant detained by agreement
- ☒ **Defendant ordered detained after detention hearing**
- ☐ FPD / CJA appointed as counsel
- ☒ **Waiver of Rule 5(c)(3) Hearings**
- ☒ **Commitment To Another District**
- ☐ Order Setting Conditions of Release w/conditions
- ☐ Medical Order for Treatment of Detainee entered
- ☐ Counsel advised to call or go to chambers for dates / given dates in court

Remarks _____

Days. Days for Motions. Motions to be filed by Date.

- ☐ Trial-Bench/Jury Length day(s) / week(s). Trial week of Date.

- ☒ Pre-trial Officer Helen Donovan
 - ☐ Temporary Order of Detention to U.S. Marshal
 - ☒ Minute entries docketed.
- Deputy Clerk: JK

UNITED STATES DISTRICT COURT

for the
District of Maryland

United States of America

v.

CARL MARK FORCE

Defendant

Case No. 15-0656TJS

Charging District's Case No. 3-15-70370MEJ

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) N.D. California

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set that court.

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AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: April 3, 2015

April 2, 2015
TJS

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

vs.

CARL FORCE

*

*

*

Case No. 15-0656-TJS

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APR 02 2015

ORDER OF DETENTION (18 U.S.C. § 3142)

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I have concluded that the following facts require the detention of the defendant pending the trial of this case.

PART I: FINDINGS OF FACT


- ☒ (1) This is a case in which the government may properly seek detention.
- ☒ (2) The defendant is charged under: 18 U.S.C. §641; 18 U.S.C. §1343; 18 U.S.C. §1956; 18 U.S.C. §208.
- ☒ (3) The maximum term of imprisonment, if convicted, is: 20 years BOP.
- ☒ (4) Based on the government's proffer there is probable cause to believe that the defendant committed the offense(s) charged.
 - ☐ The government is entitled to a presumption under § 3142 (e) [describe in Part II].
 - ☐ The defendant has failed to rebut this presumption [as to flight risk] and [as to danger].
- ☒ (5) I find, by a preponderance of the evidence, from the information produced at the hearing that there is a serious risk that the defendant will not appear.
- ☐ (6) I find, by clear and convincing evidence, from the information produced at the hearing that the defendant poses a risk to the safety of other persons and the community.
- ☒ (7) I find by clear and convincing evidence that there is no condition or combination of conditions which will reasonably assure the defendant's presence at trial or as otherwise required and community safety.

PART II: WRITTEN STATEMENT OF ADDITIONAL REASONS FOR DETENTION

The government moves for detention under 18 U.S.C. § 3142(e)(2) arguing that there is a serious risk that the defendant will flee and that there is a serious risk that the defendant will obstruct justice. The defendant contends that conditions of release are appropriate. The nature of the charged offenses involve theft and fraud by the defendant while acting in his professional capacity as a DEA Special Agent. The government has proffered sufficient evidence for the Court to conclude, by a preponderance of the evidence, that the defendant is a serious flight risk and has the ability and skill to obstruct justice. The government has not proffered sufficient evidence for the Court to conclude that the defendant, by clear and convincing evidence, is a danger to others and the community. I reach this conclusion by weighing all of the factors set forth in 18 U.S.C. § 3142(f). There are presently no conditions and/or combination of conditions that can be established to reasonably assure that the defendant will not flee/to mitigate the risk of non-appearance, or to reasonably assure that the defendant will not obstruct justice.

The defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the U.S. Marshal shall deliver the defendant for the purpose of an appearance in connection with a court proceeding.

April 2, 2015
Date


Timothy J. Sullivan
United States Magistrate Judge

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UNITED STATES DISTRICT COURT

for the

District of Maryland

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BALTIMORE, MD

2015 APR -2 P 4: 58

United States of America)

v.)

Case No. 15-0656TJS)

CARL MARK FORCE IV)

Defendant)

Charging District's)

Case No. 3-15-70370MEJ)

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Northern District of California .

The defendant may need an interpreter for this language: .

The defendant: ☐ will retain an attorney.
☐ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: April 2, 2015



Judge's signature

Timothy J. Sullivan, USMJ

Printed name and title

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APR 02 2015

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY



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